

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

MARCUS HILLIARD,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 1:20-cv-01144
	)	
NATIONAL BOARD OF MEDICAL	)	Hon. Martha M. Pacold
EXAMINERS,	)	
	)	
Defendant.	)	
	)	

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**MOTION TO DISMISS AMENDED COMPLAINT BY  
DEFENDANT NATIONAL BOARD OF MEDICAL EXAMINERS**

Defendant National Board of Medical Examiners (“NBME”) hereby moves to dismiss the Americans with Disabilities Act claim asserted against NBME in the Amended Complaint pursuant to Fed. R. Civ. P. 12(b)(1) for lack of subject matter jurisdiction, on the grounds that Plaintiff Marcus Hilliard (“Mr. Hilliard”) lacks standing to assert this claim against NBME. In the alternative, NBME moves to dismiss the claim pursuant to Fed. R. Civ. P. 12(b)(6) because it is barred by the two-year statute of limitations.

The grounds for this motion are set forth more fully in the accompanying memorandum of law.

Wherefore, NBME requests that the claim asserted against it in the Amended Complaint be dismissed.

Dated: September 4, 2020

Respectfully submitted,

/s/ Caroline M. Mew

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**CERTIFICATE OF SERVICE**

On this date I caused a copy of the foregoing document to be served on each of the attorneys identified below via CM/ECF:

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